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Remarks

Reconsideration of the above referenced application in view of the enclosed amendment and remarks is requested. Claims 1, 7, 9, 11, 17, 19, 21, 27, 29, 32 and 34 are amended. Claims 4-5, 8, 14-15, 18, 24-25, 28, 31 and 33 are canceled. Claims 1-3, 6-7, 9-13, 16-17, 19-23, 26-27, 29-10, 32 and 34-36 remain in the application. Applicant thanks the Examiner for the telephonic interview of 18 May 2006. Applicants also thank the Examiner for indicating possible amendments to Claims 1 and 7 that would result in allowable subject matter.

ARGUMENT

Claims 1, 6, 9, 11, 16, 19, 21, 26 and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over USPN 5,323,247 to Parker et al. (hereinafter, "Parker et al.") in view of JP 403259193 to Sato et al. (hereinafter, "Sato et al."). This rejection is moot based on the above amendments and following discussion.

Claim 1 is amended based on the Examiner's recommendation. Specifically, Claim 1 requires *performing median filtering to the enhanced image only on non-edge areas of the enhanced image as determined by the edge detection*. As admitted by the Examiner in the telephonic interview of 18 May 2006, this limitation is not taught or suggested by the cited references. This limitation is also added to Claims 11 and 21 (corresponding article and apparatus claims). Therefore, Claims 1-3, 6, 11-13, 16, 21-23, 26 and 35-36 are believed allowable as amended.

Claims 9, 19 and 29 are amended to require that the *sharply peaked filter comprises a matrix of values where a center value has at least approximately an 8 to 1 ratio of a corner value*. Sato et al. teaches a filter that has a center value of 4 and a corner value of 1. This is a ratio of 4 to 1. It should be understood by one of ordinary skill in the art that the filter taught by Sato et al. is not a sharply peaked filter, as disclosed and claimed by Applicant. This issue was discussed in the telephonic interview of May 18, 2006. Applicant amends the Claims to more clearly recite what is meant by a "sharply peaked" filter. Support for this ratio may be found in

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the Specification as originally filed as shown by the embodiment describing example filters A and B:

$$\begin{matrix} 1 & 6 & 1 \\ 6 & 8 & 6 \\ 1 & 6 & 1 \end{matrix} * (1/36)$$

(A)

$$\begin{matrix} 1 & 2 & 1 \\ 2 & 8 & 2 \\ 1 & 2 & 1 \end{matrix} * (1/20)$$

(B)

A ratio of at least approximately 8 to 1 for a center value to a corner value will be understood to be a sharply peaked filter as described and claimed by Applicant. Sato et al. does not teach or suggest a filter that is sharply peaked and claimed by Applicant. Thus, Claims 9-10, 19-20 and 29-30 are believed allowable.

Claims 7, 8, 17 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker et al. in view of Sato et al. and further in view of USPN 5798846 to Tretter (hereinafter, "Tretter"). This rejection is moot based on the above amendments and foregoing and following discussion.

Claim 7 is amended based on the Examiner's recommendation. Specifically, Claim 1 requires both *detecting an edge in the smoothed image* and applying a median filter *only on non-edge areas of the enhanced image as determined by the edge detection*. As admitted by the Examiner in the telephonic interview of 18 May 2006, these combined limitations are not taught or suggested by the cited references. Specifically, at least, Tretter does not teach or suggest applying a median filter only on non-edge areas of an enhanced image. These limitations are also added to Claims 17 and 27 (corresponding article and apparatus claims). Therefore, Claims 7, 32, 34, 17 and 27 and their progeny are believed allowable.

Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker et al. in view of Sato et al. and further in view of USPN 5850294 to Apostolopoulos et al. (hereinafter, "Apostolopoulos et al.") and Tretter. This rejection is respectfully traversed and Claim 10 is believed allowable based on the above amendment and foregoing and following discussion.

Claim 10 is dependent on Claim 9 which requires *wherein the sharply peaked filter comprises a matrix of values where a center value has at least approximately an 8 to 1 ratio of a*

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*corner value*. This limitation is distinguishable from the filter as taught by Sato et al. in that Sato et al. do not teach a sharply peaked filter having a ratio of at least approximately 8 to 1.

Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker et al. in view of Sato et al. and further in view of USPN 5850294 to Apostolopoulos et al. (hereinafter, "Apostolopoulos et al.") and Tretter. This rejection is respectfully traversed and Claim 20 is believed allowable based on the above amendment and foregoing and following discussion.

Claim 20 requires the same limitation of Claim 10 and is therefore believed allowable, as discussed above.

Claims 27, 28, 30, 31, and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker et al. in view of Sato et al. and further in view of USPN 5850294 to Apostolopoulos et al. (hereinafter, "Apostolopoulos et al.") and Tretter. This rejection is respectfully traversed and Claims 27, 28 and 30-32 are believed allowable based on the above amendment and foregoing and following discussion. Claims 28 and 31 have been canceled.

Claims 27 and 32 require applying a median filter to only non-edge areas of the enhanced image. This is not taught or suggested by the median filtering in Tretter. Claims 29-30 require *wherein the sharply peaked filter comprises a matrix of values where a center value has at least approximately an 8 to 1 ratio of a corner value*. This claimed sharply peaked filter is not taught or suggested by Sato et al., as discussed above. Therefore, Claims 27, 30 and 32 are believed allowable as amended.

Claims 33 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker et al. in view of Sato et al. and further in view of USPN 5,850,294 to Apostolopoulos et al. (hereinafter, "Apostolopoulos et al.") and Tretter and USPN 6,621,595 and Fan et al. (hereinafter, "Fan et al.").. This rejection is respectfully traversed and Claims 34 is believed allowable based on the above amendment and foregoing and following discussion.

Claim 33 is canceled. Claim 34 requires applying a median filter *only on non-edge areas of the enhanced image as determined by the edge detection*, as does Claim 27. This limitation, at least, is not taught by Tretter, either alone or in combination with the other references. Thus, Claim 34 is believed allowable.

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Claims 2 and 36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker et al. in view of Sato et al. and further in view of USPN 5850294 to Apostolopoulos et al. (hereinafter, "Apostolopoulos et al.") and USPN 5,852,475 to Gupta et al. (hereinafter, "Gupta et al."). This rejection is respectfully traversed and Claims 2 and 26 believed allowable based on the above amendment and foregoing and following discussion.

Claims 2 and 36 both ultimately depend on Claim 1 which requires at least *performing median filtering to the enhanced image only on non-edge areas of the enhanced image as determined by the edge detection*. This limitation is neither taught nor suggested by the cited references. Thus, Claims 2 and 26 are believed allowable.

Claims 3, 12, 13, 22 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker et al. in view of Sato et al. and further in view of USPN 5850294 to Apostolopoulos et al. (hereinafter, "Apostolopoulos et al.") and USPN 5,343,309 to Roetling (hereinafter, "Roetling"). This rejection is respectfully traversed and Claims 3, 12, 13, 22 and 23 believed allowable based on the above amendment and foregoing and following discussion.

Similarly to Claims 2 and 36, Claims 3, 12, 13, 22 and 23 all require at least *performing median filtering to the enhanced image only on non-edge areas of the enhanced image as determined by the edge detection*. This limitation is neither taught nor suggested by the cited references. Thus, Claims 3, 12, 13, 22 and 23 are believed allowable.

All pending claims are now believed allowable and should be permitted to issue at the earliest possible time.

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**CONCLUSION**

In view of the foregoing, Claims 1-3, 6-7, 9-13, 16-17, 19-23, 26-27, 29-10, 32 and 34-36 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (703) 633-6845. Early issuance of Notice of Allowance is respectfully requested. Please charge any shortage of fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

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S / Joni D. Stutman-Horn /

Joni D. Stutman-Horn, Reg. No. 42,173  
Patent Attorney  
Intel Corporation  
(703) 633-6845

c/o Blakely, Sokoloff, Taylor &  
Zafman, LLP  
12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026